

MINUTES

ALCOHOL AND TOBACCO COMMISSION

JUNE 3, 2008

CALL TO ORDER/NOTING OF QUORUM

Chairman Heath called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Johnson, Commissioner Sturtz and Commissioner Guthrie. Also in attendance were Executive Secretary Choe and Superintendent Huskey.

Lisa Goldner, Debbie Scott, Nicole Upano, Trevor Vance, Jeff McKean, Bonnee Reay, Brad Klopfenstein, Pat Harrell, Jim Purucker and Mark Webb were present as observers.

DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the May 20, 2008 meeting. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PAD FORMS – Vice Chairman Johnson moved to approve the parties agreed disposition forms that were submitted for the June 3, 2008 meeting. Motion seconded by Commissioner Sturtz and it was unanimously approved.

CONSIDERATION OF APPLICATIONS

I incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permit applications for a new permit or application for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same and inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permit applications for catering and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permits to be placed in escrow for not more than one year, which have been reviewed and recommended by a Commissioner as appropriate for first or second year escrow and hereby move for approval of same and the

inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

Two hundred eight-six (286) renewals approved, nineteen (19) new and/or transfer permits approved, five (5) permits approved for catering, four (4) permits approved for first year escrow, two (2) permits approved for second year escrow, and one (1) permit approved for fifth year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Vice Chairman Johnson moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Motion seconded by Commissioner Guthrie and it was unanimously approved.

APPLICATIONS FOR DISCUSSION

DL04-23886 HHB PETROLEUM, INC. – Chairman Heath noted this is a new type 115 application with the local board voting four (4) to zero (0) to approve.

Commissioner Guthrie moved to uphold the local board's recommendation and approve the new permit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

DL82-23840 MAC'S CONVENIENCE STORES, LLC – Chairman Heath noted this is a new type 115 application with the local board voting two (2) to two (2).

Commissioner Guthrie stated the two votes to deny were based on a misinterpretation of the statute regarding residential district.

Commissioner Guthrie moved to approve the new application. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

RR82-18953 SCORES, INC. – Chairman Heath noted this is a type 221-3 renewal application with the local board voting four (4) to zero (0) to approve for one year.

Commissioner Guthrie moved to uphold the local board and approve the renewal for one year. Motion seconded by Commissioner Sturtz and it was unanimously approved.

DL72-23903 MAC'S CONVENIENCE STORES, LLC – Chairman Heath noted this is a new type 115 application with the local board voting four (4) to zero (0) to disapprove.

Commissioner Guthrie stated the local board cited no need for the services as reason for recommended denial.

Commissioner Guthrie moved to uphold the local board's recommendation and deny the new permit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

INACTIVE FILES

RR82-01413 E.S.C.A.L., INC. – Commissioner Guthrie noted this permit was made inactive. The permittee submitted renewals and stated there is a buyer prepared to put the permit into use immediately, if reactivated.

Commissioner Guthrie moved to reactivate the permit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

DL22-03560 WILSON & GOLDSMITH, INC. - Commissioner Guthrie noted this permit was made inactive. The permittee submitted renewals and stated there is a buyer prepared to put the permit into use immediately, if reactivated.

Commissioner Guthrie moved to reactivate the permit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

OLD BUSINESS

No Old Business

NEW BUSINESS

BLOOMINGTON HISTORIC DISTRICT DESIGNATION – Commissioner Guthrie stated he received a call from Bloomington requesting the Commission qualify them for historic district designation permits. The Commissioner feels the opera house and the courthouse are qualifying factors.

Commissioner Guthrie moved to approve historic district designation permits for Bloomington. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Commissioner Sturtz moved to adjourn the meeting. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

Approved this _____ day of _____, 2008.

DAVE HEATH, CHAIRMAN

DAVID JOHNSON, VICE CHAIR

DALE STURTZ, COMMISSIONER

FRANK GUTHRIE, COMMISSIONER